

REMARKS

In the non-Final Office Action, the Examiner rejects claims 26-43 and 45-54 under 35 U.S.C. § 103(a) as unpatentable over ONG et al. (U.S. Pat. No. 6,795,430) in view of ABEL et al. (U.S. Patent No. 6,950,426) and HOKARI (U.S. Patent No. 5,442,622); and rejects claim 44 under 35 U.S.C. § 103(a) as unpatentable over ONG et al. in view of ABEL et al., HORKARI and further in view of LAMPOLA (U.S. Pub. No. 2003/0016681). Applicants respectfully traverse these rejections with respect to the claims presented herein.¹

By way of the present Amendment, Applicants have amended claims 26, 29, 35, 40, 45 and 51 to improve form. No new matter has been entered. Claims 26-54 remain pending.

Claims 26-43 and 45-54 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over ONG et al. in view of ABEL et al. and HOKARI.

Amended independent claim 26 is directed to a method comprising partitioning inter-Private Branch Exchange (PBX) communications from existing PBX communications, where an inter-PBX communication is received from a device not supported by a PBX; receiving a partitioned inter-PBX communication, via a first network access device, the partitioned inter-PBX communication comprising a content portion and a signaling portion in accordance with a QSIG access protocol; encapsulating the content portion and the signaling portion of the partitioned inter-PBX communication via the first network access device to provide a plurality of respective content packets and signaling packets; transmitting the signaling packets from the first

¹ As Applicants' amendments and remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicants' silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., whether a reference constitutes prior art, motivation to combine references, assertions as to dependent claims, etc.) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to analyze and dispute such assertions/requirements in the future.

network access device to a control component via the data network; establishing, via the control component, a connection within the data network between the first network access device and a second network access device in response to receiving the signaling packets; and communicating the content packets from the first network access device to the second network access device over the established connection. Applicants respectfully submit that ONG et al., ABEL et al. and HOKARI, whether taken alone or in combination, do not disclose or suggest this combination of features.

For example, ONG et al., ABEL et al. and HOKARI do not disclose or suggest partitioning inter-Private Branch Exchange (PBX) communications from existing PBX communications, where an inter-PBX communication is received from a device not supported by a PBX, as now recited. Regarding the recited “partitioning inter-PBX communications from existing PBX communications,” the Office Action (page 4) states “Hokari discloses partitioning inter-PBX communications (TT Interface 11) from existing PBX communications (PR Interface 12) (figure 1, col.1, lines 45-50).” Applicants respectfully submit that ONG et al., ABEL et al. and HOKARI do not disclose or suggest partitioning inter-Private Branch Exchange (PBX) communications from existing PBX communications, where an inter-PBX communication is received from a device not supported by a PBX, as now recited in claim 26.

Column 1, lines 45-50 of HOKARI recite:

accommodating a tie trunk connected to a distant PBX and an ISDN interface is connected to the switch for accommodating the public switched ISDN network. A plurality of bit- rate compression/expansion means, or speech codecs (coders/decoders) are connected to the switch. Each of the codecs converts a 64-kbps digital signal to

Figure 1 and these lines of HOKARI disclose a PBX (1) that includes a tie trunk interface (TT Interface 11) and a primary rate interface (PR Interface 12). HOKARI discloses that the

communications received by PBX 1 (via TT Interface 11 and PR Interface 12) are received from devices which are supported by PBX 1. For example, the devices that communicate with PBX 1, such as PBX 2 and user telephones 5 and 6, are devices that are supported by PBX 1. Therefore, as HOKARI does not disclose or suggest receiving communications from devices not supported by a PBX, HOKARI cannot disclose partitioning communications from devices not supported by a PBX. Therefore, Applicants respectfully submit that HOKARI does not disclose or suggest partitioning inter-Private Branch Exchange (PBX) communications from existing PBX communications, where an inter-PBX communication is received from a device not supported by a PBX, as now recited in claim 26.

Moreover, since ONG et al., ABEL et al., and HOKARI do not disclose partitioning inter-PBX communications from existing PBX communications, ONG et al., ABEL et al., and HOKARI cannot disclose receiving a partitioned inter-PBX communication, where the partitioned inter-PBX communication comprises a content portion and a signaling portion in accordance with a QSIG access protocol, as also recited in claim 26.

For at least the foregoing reasons, Applicants submit that claim 26 is patentable over ONG et al., ABEL et al., and HOKARI whether taken alone or in any reasonable combination. Accordingly, withdrawal of the rejection and allowance of claim 26 are respectfully requested.

Claims 27-28 depend from claim 26. Therefore, Applicants submit that these claims are allowable for at least the reasons as set forth above with respect to claim 26.

Amended independent claim 29 recites features similar to, but of different scope than, claim 26. For reasons similar to those discussed above with respect to claim 26, Applicants submit that claim 29 is patentable over ONG et al., ABEL et al. and HOKARI, whether taken

alone or in any reasonable combination. Accordingly, withdrawal of the rejection and allowance of claim 29 are respectfully requested.

Claims 30-34 depend from claim 29. Therefore, Applicants submit that these claims are allowable for at least the reasons as set forth above with respect to claim 29.

Amended independent claim 35 recites features similar to, but of different scope than, claim 26. For reasons similar to those discussed above with respect to claim 26, Applicants submit that claim 35 is patentable over ONG et al., ABEL et al. and HOKARI, whether taken alone or in any reasonable combination. Accordingly, withdrawal of the rejection and allowance of claim 35 are respectfully requested.

Claims 36-39 depend from claim 35. Therefore, Applicants submit that these claims are allowable for at least the reasons as set forth above with respect to claim 35.

Amended independent claim 40 recites features similar to, but of different scope than, claim 26. For reasons similar to those discussed above with respect to claim 26, Applicants submit that claim 40 is patentable over ONG et al., ABEL et al. and HOKARI, whether taken alone or in any reasonable combination. Accordingly, withdrawal of the rejection and allowance of claim 40 are respectfully requested.

Claims 41-43 depend from claim 40. Therefore, Applicants submit that these claims are allowable for at least the reasons as set forth above with respect to claim 40.

Amended independent claim 45 recites features similar to, but of different scope than, claim 26. For reasons similar to those discussed above with respect to claim 26, Applicants submit that claim 45 is patentable over ONG et al., ABEL et al. and HOKARI, whether taken

alone or in any reasonable combination. Accordingly, withdrawal of the rejection and allowance of claim 45 are respectfully requested.

Claims 46-48 depend from claim 45. Therefore, Applicants submit that these claims are allowable for at least the reasons as set forth above with respect to claim 45.

Amended independent claim 51 recites features similar to, but of different scope than, claim 26. For reasons similar to those discussed above with respect to claim 26, Applicants submit that claim 51 is patentable over ONG et al., ABEL et al. and HOKARI, whether taken alone or in any reasonable combination. Accordingly, withdrawal of the rejection and allowance of claim 51 are respectfully requested.

Claims 52-54 depend from claim 51. Therefore, Applicants submit that these claims are allowable for at least the reasons as set forth above with respect to claim 51.

Claim 44 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over ONG et al., ABEL et al. and HOKARI and further in view of LAMPOLA. Applicants respectfully traverse this rejection.

Claim 44 depends from claim 40. The disclosure of LAMPOLA does not remedy the deficiencies in the disclosures of ONG et al., ABEL et al. and HOKARI discussed above with respect to claim 40. Therefore, Applicants submit that claim 44 is allowable over ONG et al., ABEL et al. and LAMPOLA, whether taken alone or in any reasonable combination, for at least the reasons as set forth above with respect to claim 40.

PATENT
U.S. Patent Application No. 09/995,149
Attorney's Docket No. RIC00007

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration of the present application and a timely allowance of the pending claims.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

HARRITY SNYDER, L.L.P.

By: /Steven S. Kelley, Reg. No. 43449/
Steven S. Kelley
Registration No. 43,449

Date: April 3, 2008
11350 Random Hills Road
Suite 600
Fairfax, Virginia 22030
(571) 432-0800

Customer Number: 25537